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## FACSIMILE COVER SHEET

Deliver to: To, Jennifer N. USPTOArt Group: 2195

Facsimile No.: (571) 273-8300

Date: September 30, 2008

From: Ashley R. Essick, Reg. No. 55,515

Our Docket No.: 42P15752

Number of pages 19 including this sheet.

Application No.: 10/663,163

Filing Date: 9/15/2003Docket Due Date(s): 10/13/2008

Enclosed are the following documents:

<input checked="" type="checkbox"/> Amendment: After Final ( 17 pgs)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Appeal Brief ( pgs)	<input type="checkbox"/> Notice of Appeal (in duplicate)
<input type="checkbox"/> Application:	<input type="checkbox"/> Petition for:
( pgs) w/cover & abstract)	<input type="checkbox"/> Request for Continued Examination (RCE) (in duplicate)
<input type="checkbox"/> Assignment & Cover Sheet ( pgs)	<input type="checkbox"/> Reply Brief ( pgs)
<input checked="" type="checkbox"/> Certificate of Facsimile	<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Request to Rescind Previous Nonpublication Request
<input type="checkbox"/> Declaration & POA ( pgs)	<input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter
<input type="checkbox"/> Drawings: sheets, figures	<input type="checkbox"/> Response to Written Opinion ( pgs)
<input type="checkbox"/> Extension of Time:	<input type="checkbox"/> Terminal Disclaimer
<input checked="" type="checkbox"/> Fee Transmittal	<input type="checkbox"/> Transmittal of Publication Fee Due
<input type="checkbox"/> IDS & PTO/SB/08 ( pgs)	<input type="checkbox"/> Transmittal Letter
<input type="checkbox"/> Other:	

## CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.


  
Shannon Serrano

9/30/2008

Date

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<b>FEE TRANSMITTAL</b> <b>for FY 2007</b>		<i>Complete if Known</i>	
<small>Patent fees are subject to annual revision</small>		Application Number	10/663,163
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Filing Date	September 15, 2003
<b>TOTAL AMOUNT OF PAYMENT</b>		First Named Inventor	Stephen M. Bennett
<b>(\$)</b>		Examiner Name	To, Jennifer N.
<b>0.00</b>		Art Unit	2195
		Attorney Docket No.	42P15752

**METHOD OF PAYMENT (check all that apply)**

<input type="checkbox"/> Check	<input type="checkbox"/> Credit card	<input type="checkbox"/> Money Order	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Other (please identify): _____
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: <u>02-2666</u> Deposit Account Name: <u>Blakely, Sokoloff, Taylor &amp; Zafman L.P.</u>				
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)				
<input type="checkbox"/> Charge fee(s) indicated below		<input checked="" type="checkbox"/> Credit any overpayments		
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee		<input checked="" type="checkbox"/> Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.		
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.				

## **FEE CALCULATION**

## 1. EXTRA CLAIM FEES

Total Claims	Claim	below	Fee Paid
Independent	58	58 <sup>+</sup> = 0	50.00
Claim	9	9 <sup>+</sup> = 0	210.00
Multi's Dependent			

Large Entity		Small Entity		
Fee	Fee	Fee	Fee	<u>Fee Description</u>
Code	(\$)	Code	(\$)	
1202	50	2202	25	Claims in excess of 20
1201	370	2201	105	Independent claims in excess of 3
1203	370	2203	185	Multiple Dependent claim, if not paid
1204	810	2204	405	**Reissue independent claims over original patent
1205	810	2205	405	**Reissue claims in excess of 20 and over original patent

*"or number previously paid, if greater, For Reissues. See below"*

## 2 ADDITIONAL FEES

**2. ADDITIONAL FEES**

<b>Fee Code</b>	<b>Fee (\$)</b>	<b>Fee Code</b>	<b>Fee (\$)</b>	<b>Fee Description</b>
1051	130	2051	55	Surcharge - late filing fee or search
1052	50	2052	25	Surcharge - late provisions, filing fee or cover
2053	130	2053	130	Non-English specification
1251	120	2251	60	Extension for reply within first month
1252	450	2252	230	Extension for reply within second month
1253	1,050	2253	525	Extension for reply within third month
1254	1,640	2254	820	Extension for reply within fourth month
1255	2,230	2255	1,115	Extension for reply within fifth month
1401	\$10	2401	255	Notice of Appeal
1402	\$10	2402	255	Filing a brief in support of an appeal
1403	1,030	2403	915	Request for oral hearing
1451	1,510	2451	1,510	Petition to institute a public use proceeding
1450	130	2450	130	Petitions to the Commissioner
1807	50	1907	50	Processing fee under 37 CFR 1.17(a)
1806	180	1806	180	Submission of Information Disclosure Stmt
1809	610	1809	405	Filing a submission after final rejection (37 CFR
1810	210	2810	405	For each additional invention to be examined (37 CFR

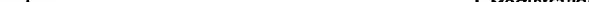
**Fee Paid**

**SUBTOTAL (2)**

(8)

**SUBMITTED BY**

**Complete (if applicable)**

Name (First/Last)	Ashley R. Essick	Registration No. (Attorney/Agent)	55,515	Telephone	(303) 740-1980
Signature				Date	09/30/08

Based on PTO/60/17 (02-07) as modified by Blakely, Schloff, Taylor & Zisman (w/r) 02/26/2007  
SEN'D TO: Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450

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RESPONSE UNDER 37 C.F.R. § 1.116  
-- EXPEDITED PROCEDURE --  
EXAMINING GROUP 2100

Our Docket No.: 42115752

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bennett, S.

Examiner: To, J.

Application No.: 10/663,163

Art Group: 2195

Filed: September 15, 2003

For: Optimizing Processor-Managed  
Resources Based on the Behavior  
of a Virtual Machine MonitorRESPONSE AFTER FINAL

Mail Stop: AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed on August 13, 2008, which was made final, applicant submits this Amendment After Final Action for consideration.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that I am causing the above-referenced correspondence to be transmitted via facsimile to the United States Patent and Trademark Office at (571) 273-8300 on the date indicated below:

September 30, 2008  
Date of Deposit

Shannon Serrano

Name of Person Transmitting Correspondence

Shannon Serrano  
Signature

9/30/08

Date